

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CRYSTAL KRUEGER, an individual on behalf
of herself and others similarly situated,

Plaintiff,

v.

ALASKA AIRLINES, INC.,

Defendant.

CASE NO. C22-1777-JCC

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable John C. Coughenour, United States District Judge:

Presently before the Court is Defendant's motion to dismiss (Dkt. No. 42). In the motion, Defendant states that "where an employer fails to 'allow[]' for the statutorily required meal and/or rest periods, *see* WAC 296.126.092(1), (4) . . . an employee may claim compensation for each missed break at his or her *regular rate of pay*." (*Id.* at 21) (emphasis added). The Court seeks supplemental briefing on whether, under Washington law, any missed meal or rest period *must*, indeed, be compensated at the *regular rate of pay* (as opposed to some other rate). Moreover, the briefing should address (1) whether Plaintiff's overtime claim can be ruled upon *without* determining the regular rate of pay, and (2) assuming the answer is "no," whether determining the regular rate of pay requires interpretation of the CBA's minimums, guarantees,

1 and pay protection provisions.

- 2 • Defendants' brief, not to exceed 6 pages, is due March 8, 2024.
- 3 • Plaintiff's response, not to exceed 6 pages, is due March 15, 2024.
- 4 • Defendants' reply, not to exceed 3 pages, is due March 20, 2024.

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6 DATED this 1st day of March 2024.

7
8 Ravi Subramanian
Clerk of Court

9 s/Kathleen Albert
10 Deputy Clerk